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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.289 OF 2006

Mr. Gunapal D. Punja ... Petitioner

Vs.

The State of Maharashtra & Ors. ... Respondents

Ms. Anjali Iyer for the petitioner.

Mr. D.S. Mhaispurkar, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED : 12TH JANUARY, 2007.

P.C.:-

1. The prayer of the petitioner in this petition, inter alia, is that the respondents 1 to 4 may be directed to take respondents 5, 6 and 7, who have allegedly assaulted him, in their custody. The petitioner appears to be aggrieved by the alleged inaction of the police.

2. Mr. Mhaispurkar, the learned A.P.P. for the State states on instructions from the police officer who is present in the court, that two persons have been arrested and the charge-sheet is already filed against them. The learned counsel for the petitioner states that the three other unknown persons, who are also involved in the incident are not arrested.

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3. In view of the fact that the charge-sheet has already been filed, we do not wish to entertain this petition. The petitioner may move an appropriate application before the concerned Magistrate voicing his grievance. If the petitioner makes such an application, the concerned Magistrate shall deal with it in accordance with law. We have not expressed any opinion on the merits of the grievance. The petition is disposed of.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]